

#### REMARKS

In the outstanding official action, independent claim 1, and claims 2 and 4-7, were rejected under 35 USC 102(b) as being anticipated by Boszormenyi et al, with claims 3 and 9 being rejected under 35 USC 103(a) as being unpatentable over Boszormenyi and further in view of Warmenhoven, and claims 8 and 10 also being rejected under §103, all for the reasons of record.

In response, independent claim 1 is herewith amended in order to more particularly and precisely recited the novel features of the instant invention, and it is respectfully submitted that independent claim 1, as herewith amended, and the remaining claims depending therefrom, are clearly patentably distinguishable over the cited and applied references for the reasons detailed below.

More particularly, it is suggested in the Action that Boszormenyi discloses a system for laser cleaning and inspection of disc surfaces used for recording data, with the laser source being used for inspecting the surface being cleaned and to measure the effect of the cleaning. This interpretation of the reference is not disputed, but it is respectfully submitted that this description on its face establishes that the instant invention is clearly distinguishable therefrom. As noted in both the Action and the first sentence of the Abstract of the reference, the cited

prior art is directed to cleaning and inspecting a surface of the substrate. Thus, the cleaning and inspecting operations are both conducted on the same surface. In the instant invention as now more precisely claimed, it is expressly recited that a device is provided for reading information represented by marks in a data layer within an information carrier and for cleaning a surface of an information carrier. This is accomplished, again as expressly recited, by focusing the beam on the data layer which is within the information carrier and refocusing the beam on the surface of the information carrier to perform the cleaning operation.

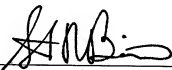
In other words, whereas the reference teaches that a single surface can be cleaned and inspected using a laser, the instant invention as claimed in claim 1 specifically recites that information is read from a data within an information carrier and that the surface of the information carrier is independently cleaned by refocusing the beam on the surface of the information carrier.

It is therefore respectfully submitted that the instant invention, as now more clearly and precisely claimed, constitutes a clear patentable advance over the prior art. In this regard, it is noted that nowhere within the reference or within the Detailed Action, is it suggested that the cited and applied reference teaches a structure for separately focusing the laser beam on an

interior portion of the information carrier to read information and also focusing the beam on the surface of the information carrier to clean the surface. Should the Examiner disagree with this position, it is respectfully requested that the next Action specifically address the foregoing arguments.

In view of the foregoing, it is respectfully submitted that independent claim 1, as herewith amended, and the remaining claims depending therefrom, are now in condition for allowance. Accordingly, entry of this Amendment, reconsideration of the rejections, and allowance of this application are earnestly solicited.

Respectfully submitted,

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